

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6977

BILL NUMBER: SB 341

NOTE PREPARED: Jan 2, 2015

BILL AMENDED:

SUBJECT: Lost Personal Property Submitted to Police.

FIRST AUTHOR: Sen. Rogers

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill establishes a method for an individual who comes into possession of tangible personal property, except firearms, or cash that the individual: (1) does not own; and (2) submits to a law enforcement agency; to become the rightful owner of the tangible personal property or cash. It prohibits a law enforcement agency from turning over possession of tangible personal property or cash submitted to the law enforcement agency to any person if the tangible personal property or cash is: (1) needed as evidence in an ongoing criminal investigation; (2) dangerous; or (3) unusable.

Effective Date: July 1, 2015.

Explanation of State Expenditures: *Summary:* State law enforcement agencies, such as the Indiana State Police (ISP) and the Department of Natural Resources (via their conservation officers' corps.), would have to adopt or alter existing policies for lost items. It is likely these state agencies would be able to adopt the required policies within their existing level of resources.

Additional Information- The ISP's current policy regarding lost items is to attempt to contact the rightful owner, if the owner's personal ID, address, or phone number is available on or in the item. The ISP will also send a certified letter to the last known address of the owner of the property. The rightful owner has 90 days to respond to the written notification. If the owner responds within the 90 days and they can prove they are the owner, the ISP will mail the item to the owner. Beyond 90 days, the ISP will send the item to auction or destroy the item if the item has no monetary value.

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:* Local law enforcement agencies would have to adopt or alter existing policies for lost items. It is likely these agencies would be able to adopt the required policies within their existing level of resources.

Additional Information- Both the Indianapolis Metropolitan Police Department and Fort Wayne Police Department have confirmed the existence of departmental lost item policies. It is unknown how many additional county, city, or town law enforcement agencies have existing policies or would need to create policies to conform to the requirements of the bill.

A Bureau of Justice Statistics report from 2008 estimates that there are 361 local police departments in Indiana. The estimate does not include agencies with just one full-time police officer or the part-time equivalent.

Explanation of Local Revenues:

State Agencies Affected: State law enforcement agencies.

Local Agencies Affected: Local law enforcement agencies.

Information Sources: Eric Wandersee, Indiana State Police; Rafael Diaz, Indianapolis Metropolitan Police Department; Fort Wayne Police Department; U.S. Department of Justice- Bureau of Justice Statistics.

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